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INCOMING TELEGRAM Department of State

34 Action
ARA Info
SS G SP L E CAP VEW UIB E AID P USIA ~~ISR~~ CIA NSA OSD NAVY COM INT RMR

33 ~~CONFIDENTIAL~~ OFFICIAL TRANSLATION Control: 10748

Rec'd: SEPTEMBER 15, 1963 3:24 AM

FROM: QUITO

TO: Secretary of State

NO: 192, SEPTEMBER 14, 11 PM (SECTION TWO OF TWO)

66/14

25X1

IMMEDIATE

ACTION DEPARTMENT 192, INFORMATION LIMA 48, SANTIAGO 26, GUAYAQUIL UNNUMBERED

25X1

5. THE GOVERNMENT OF ECUADOR WILL GRANT, THROUGH ITS CONSULATES, AN UNLIMITED NUMBER OF FISHING PERMITS TO ANY UNITED STATES FISHING VESSEL THAT HAS A VALID ECUADOREAN REGISTRATION, UPON PAYMENT OF A FEE OF 10 DOLLARS FOR EACH NET REGISTERED TON. THE FISHING PERMIT WILL BE VALID FOR 150 DAYS OR NO MORE THAN TWO VOYAGES, WHICHEVER IS EARLIER.

25X1

6. THE ECUADOREAN GOVERNMENT WILL GRANT FISHING PERMITS TO ANY UNITED STATES VESSEL THAT HAS A VALID ECUADOREAN REGISTRATION BY MEANS OF A REQUEST RADIOED TO THE ECUADOREAN CONSULS AT SAN DIEGO, LOS ANGELES, OR BALBOA. TO PREVENT ABUSES, NO PERMIT ISSUED BY RADIO WILL BE VALID UNTIL 24 HOURS AFTER IT IS ISSUED.

7. THE GOVERNMENT OF ECUADOR WILL ALSO GRANT FISHING PERMITS TO ANY UNITED STATES FISHING VESSEL HAVING A VALID ECUADOREAN REGISTRATION IN THE PORTS OF ESMERALDAS, MANTA, AND SALINAS; IN THESE CASES, A 20% SURCHARGE SHALL BE APPLIED TO THE NET COST OF EACH PERMIT. IN SUCH CASES, UNITED STATES FISHING VESSELS MUST FIRST OBTAIN AUTHORIZATION BY RADIO FROM THE ECUADOREAN PORT AUTHORITIES TO ENTER THE SAID PORTS AT LEAST 8 HOURS BEFORE THE EXPECTED TIME

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OF ARRIVAL IN PORT. THIS 20% SURCHARGE SHALL REPLACE THE ENTRANCE AND OTHER PORT CHARGES.

8. THE ECUADOREAN GOVERNMENT WILL PERMIT UNITED STATES FISHING VESSELS THAT ARE ARRESTED TO USE THEIR OWN RADIO TRANSMITTERS AT LEAST ONCE, IN THE PRESENCE OF AN ECUADOREAN NAVAL OFFICER, SO THAT THE CAPTAIN MAY COMMUNICATE WITH HIS HOME PORT. ANY SUBSEQUENT COMMUNICATION SHALL BE THROUGH RADIO INSTALLATIONS APPROVED BY THE ECUADOREAN NAVAL AUTHORITIES.

9. THE ECUADOREAN GOVERNMENT WILL EXERCISE ITS FISHERY JURISDICTION THROUGH PERSONNEL OF THE ECUADOREAN NAVY IN VESSELS OF THE NATIONAL NAVY.

10. IF A UNITED STATES VESSEL IS ARRESTED, THE ECUADOREAN GOVERNMENT WILL ENDEAVOR TO HAVE ANY DOUBT REGARDING THE POSITION OF THE ARRESTED VESSEL CLEARED UP AT THE SITE WHERE THE INCIDENT OCCURS BY A JOINT DETERMINATION OF THE POSITION. UNITED STATES VESSELS THAT ARE ARRESTED MAY DROP ANCHOR IMMEDIATELY IT IT IS POSSIBLE TO DO SO.

11. THE ECUADOREAN GOVERNMENT WILL TAKE INTO ACCOUNT THE PROBLEM OF DRIFTING CAUSED BY PREVAILING CURRENTS IN THE EVENT OF A DISPUTE OVER THE POSITION OF A UNITED STATES VESSEL LOCATED NEAR THE LINE FIXED BY THE COORDINATES ESTABLISHE IN THE ATTACHED ANNEX.

12. THE ECUADOREAN GOVERNMENT WILL ACCORD UNITED STATES VESSELS THE RIGHT OF INNOCENT PASSAGE PROVIDED THEY COMPLY WITH THE LAWS AND REGULATIONS ESTABLISHED AND PUBLISHED BY THE RIPARIAN STATE AND ABIDE BY MUTUALLY ACCEPTABLE CONDITIONS TO PREVENT POSSIBLE ABUSES IN THIS MATTER.

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13. THIS MODUS VIVENDI BETWEEN THE TWO GOVERNMENTS SHALL NOT AFFECT THE POSITION OF EITHER GOVERNMENT REGARDING THE EXTENT OF THE TERRITORIAL SEA, SPECIAL SITUATIONS OF THE RIPARIAN STATE, OR BOUNDARIES OF EXCLUSIVE FISHERY ZONES.

ENCLOSURE: LIST OF COORDINATES

QUITO, SEPTEMBER 13, 1963

BERNBAUM

NOTE: ADVANCE DELIVERY TO S/S-O AT 3:43 AM, SEPTEMBER 15, 1963

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